

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

HOGARTH et al.

Serial No.:

10/687,109

Filed:

October 15, 2003

Atty. File No.:

New: 5478-4-1
(Old: 4102-4-1)

For:

STRUCTURE-BASED
IDENTIFICATION OF CANDIDATE
COMPOUNDS USING THREE
DIMENSIONAL STRUCTURES AND
MODELS OF Fc RECEPTORS

Group Art Unit: 1631

Examiner: Borin, Michael L.

Conf. No.: 8719

PETITION TO REVIVE
UNAVOIDABLY ABANDONED
APPLICATION UNDER 37
C.F.R. § 1.137(a)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

A Notice of Abandonment was mailed in the above-captioned application on January 22, 2007. The Notice indicated that Applicant failed to reply to the Office action mailed on May 26, 2006. A search of the file jacket and docket records indicates that the Office communication was not received. Since a three month period for reply would have been set in the nonreceived Office action, the reply would have been docketed for August 26, 2007 had the Office action been received. A copy of the docket record where the nonreceived Office communication would have been entered had it been received and docketed is attached as Exhibit A as documentary proof of nonreceipt of the Office action. Applicants note that the Attorney docket number for this application was formerly 4102-4-1, but has been changed to 5478-4-1. A review of the docket record shows no actions docketed under either of these Attorney docket numbers for August 26, 2006.

Under the guidelines provided in M.P.E.P. § 711.03(c)(I)(A), Application submits that this showing is sufficient to establish nonreceipt of the Office action mailed May 26, 2006. In view of this showing, applicant requests withdrawal of the holding of abandonment and remailing of the Office action, as provided for in M.P.E.P. § 711.03(c)(I)(A).

Please charge the fee required under C.F.R. § 1.17(l) of \$250.00 for a small entity to deposit account No. 19-1970. The undersigned hereby authorizes the charge of any additional

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